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11    Backman, James Rothenburg, James Bertuccini and Melanie O'Daniel

**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA**

9 LATIA ALEXANDER, individually as heir  
10 of ISAIAH T. WILLIAMS, and in her  
capacity as Special Administrator of the  
Estate of ISAIAH T. WILLIAMS,

11 Plaintiff,

12 |

vs.

13 LAS VEGAS METROPOLITAN POLICE  
14 DEPARTMENT, a political subdivision of  
the State of Nevada; KERRY KUBLA, in his  
15 individual capacity; BRICE CLEMENTS, in  
his individual capacity; ALEX GONZALES,  
in his individual capacity; RUSSELL  
16 BACKMAN, in his individual capacity;  
JAMES ROTHENBURG, in his individual  
17 capacity; JAMES BERTUCCINI, in his  
individual capacity; MELANIE O'DANIEL,  
18 in her individual capacity and DOES I-XX,  
inclusive,

## Defendants.

Case Number:  
2:24-cv-00074-APG-NJK

**STIPULATION AND ORDER TO  
CONTINUE DISCOVERY DEADLINES  
(FIRST REQUEST)**

21 Defendants Las Vegas Metropolitan Police Department (“LVMPD”), Kerry Kubla,  
22 Brice Clements, Alex Gonzales, Russell Backman, James Rothenburg, James Bertuccini and  
23 Melanie O’Daniel (“LVMPD Defendants”), by and through their counsel, Marquis Aurbach,  
24 and Plaintiff Latia Alexander, individually as heir of Isaiah T. Williams, and in her capacity  
25 as Special Administrator of the Estate of Isaiah T. Williams (“Plaintiff”), by and through her  
26 counsel of record, Breeden & Associates, PLLC, hereby file their Stipulation and Order to  
27 Extend Discovery Deadlines (First Request) by ninety (90) days pursuant to LR II 26-4. The  
28 present discovery cutoff date is February 5, 2025.

1   **I. DISCOVERY COMPLETED**

2       1. On March 12, 2024 this Court entered the original Discovery Plan and  
3 Scheduling Order. (ECF No. 19)

4       2. Plaintiff served her initial FRCP 26(a)(1) disclosure.

5       3. The LVMPD Defendants served their initial FRCP 26(a)(1) disclosure.

6       4. The parties have both served and responded to several rounds of written  
7 discovery. To explain to the Court, due to several defendants in this case, several hundred  
8 requests have been made and responded to by the Parties, written discovery is voluminous.

9       5. The LVMPD Defendants have supplemented their disclosure statement seven  
10 (7) times and produced 17,000 pages of documents and over 8 hours of body worn camera  
11 video.

12       6. Plaintiff has produced an additional six (6) supplemented disclosures,  
13 approximately 2,000 pages of documents and 39 witnesses.

14       7. In August 2024, Plaintiff amended her complaint to include a new defendant,  
15 Melanie O'Daniel.

16       8. Defendant O'Daniel answered in late August 2024.

17       9. The LVMPD Defendants have taken the deposition of Plaintiff.

18       10. Plaintiff has deposed defendants Gonzales, Bertuccini, Rothenberg,  
19 Backman, Clements, Kubla and O'Daniel.

20       11. The parties recently timely disclosed expert witnesses.

21   **II. DISCOVERY TO BE COMPLETED**

22       1. Plaintiff is taking the deposition of Det. Justin Roth on January 8, 2025.

23       2. The LVMPD Defendants are taking the deposition of Plaintiff's expert  
24 Gilbertson on January 21, 2025.

25       3. Plaintiff is taking the deposition of the LVMPD Defendants' expert Spencer  
26 Fomby on January 27, 2025, in Austin, Texas.

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1       4. Plaintiff is taking the deposition of LVMPD's Rule 30(b)(6) witness in  
 2 February 2025.

3       5. The LVMPD Defendants are responding to Plaintiff's third set of written  
 4 discovery.

5       6. The LVMPD Defendants need to notice and take the deposition of Plaintiff's  
 6 recently identified rebuttal experts.

7       **III. REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED  
 WITHIN THE TIME LIMITS SET BY THE COURT**

8       The parties agree, pursuant to Local Rule 6-1, that good cause exists for the  
 9 requested extension. The primary reason for this request is for the Parties to complete expert  
 10 discovery. The parties have contacted their experts regarding rebuttal reports and deposition  
 11 dates. Some of the experts have asked for extensions to submit rebuttal reports. The only  
 12 remaining issue is the taking of the LVMPD Defendants' Rule 30(b)(6) deposition. This  
 13 deposition cannot place until the end of February 2025. The deposition transcript will be  
 14 required to draft and file dispositive motions. The parties agree a 60-day extension will  
 15 allow these final depositions to occur and the transcripts to be received in time for  
 16 dispositive motion filings.

17       **IV. PROPOSED SCHEDULE FOR COMPLETING DISCOVERY:**

	<b>EXISTING DEADLINES</b>	<b>PROPOSED</b>
<b>Close of Discovery</b>	February 5, 2025	<b>April 5, 2025</b>
<b>Final Date to Amend Pleadings/Add Parties</b>	Passed	
<b>Initial Expert Disclosures Deadlines</b>	Passed	
<b>Rebuttal Expert Disclosure Deadline</b>	Passed	
<b>Final Date for Dispositive Motions</b>	March 5, 2025	<b>May 5, 2025</b>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Pretrial Order	April 7, 2025	June 7, 2025
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IT IS SO STIPULATED this 7<sup>th</sup> day of January, 2025.

MARQUIS AURBACH

BREEDEN & ASSOCIATES, PLLC

By: s/Craig R. Anderson

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By: /s/Adam Breeden

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Attorney for Plaintiff

**ORDER**

IT IS SO ORDERED.

Dated this \_\_ day of January, 2025.

UNITED STATES MAGISTRATE JUDGE

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